

SENATE BILL No. 282

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-17-5.

Synopsis: Grandparent visitation. Provides that a child's grandparent may seek visitation rights when a parent or guardian of the child unreasonably refuses or restricts visitation. Eliminates current conditions under which a grandparent may seek visitation rights. Specifies court in which grandparent seeking visitation rights may file a petition.

Effective: July 1, 2007.

Waterman

January 8, 2007, read first time and referred to Committee on Judiciary.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 282

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-17-5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) A child's
3 grandparent may seek visitation rights if

4 ~~(1) the child's parent is deceased;~~

5 ~~(2) the marriage of the child's parents has been dissolved in~~
6 ~~Indiana; or~~

7 ~~(3) subject to subsection (b), the child was born out of wedlock;~~
8 **a parent or guardian of the child unreasonably:**

9 **(1) refuses to allow; or**

10 **(2) restricts;**

11 **visitation by the grandparent.**

12 (b) A court may not grant visitation rights to a paternal grandparent
13 of a child who is born out of wedlock ~~under subsection (a)(3)~~ if the
14 child's father has not established paternity in relation to the child.

15 SECTION 2. IC 31-17-5-4, AS AMENDED BY P.L.50-2006,
16 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2007]: Sec. 4. A grandparent seeking visitation rights shall



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- 1 file a petition requesting reasonable visitation rights:
2 (1) **except as provided in subdivision (2)**, in a circuit, superior,
3 or probate court of the county in which the child resides in a case
4 described in ~~section 1(a)(1); 1(a)(3);~~ **section (1)(a)** or 10 of this
5 chapter; or
6 (2) in the court having jurisdiction over the dissolution of the
7 parents' marriage ~~in a case described in section 1(a)(2) of this~~
8 ~~chapter;~~ **if the marriage of the child's parents has been**
9 **dissolved in Indiana.**

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